

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Stanley Earl Mitchell

Docket No. 4:06-CR-22-2BO

Petition for Action on Supervised Release

COMES NOW Scott Plaster, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Stanley Earl Mitchell, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess with Intent to Distribute More Than 50 Grams of Cocaine Base (Crack) and a Quantity of Cocaine, in violation of 21 U.S.C. § 846, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on December 8, 2006, to the custody of the Bureau of Prisons for a term of 48 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 48 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall pay a special assessment of \$100.00.

Stanley Earl Mitchell was released from custody on December 9, 2008, at which time the term of supervised release commenced.

On March 27, 2010, the court was notified that Mr. Mitchell had violated the terms and conditions of his supervised release following a positive drug test for marijuana. Mr. Mitchell was reprimanded for his illegal drug use, and he was returned to the beginning phase of the Surprise Urinalysis Program. It was recommended no additional sanction be imposed at that time and that his supervision continue. The court concurred with the recommendation.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Following his release from prison, Mr. Mitchell worked at Walmart, stocking groceries. He lost his job in January 2010, and he has remained unemployed since that time. Mr. Mitchell tried to return to Walmart for several months, but his efforts were met with negative results. All efforts made by the defendant to find another job have proven unsuccessful. The probation officer recommended to the defendant that he return to school for the purpose of obtaining his G.E.D.; however, the defendant has failed to enroll in an educational program. Mr. Mitchell was also referred to an employment workshop hosted by the probation office, but he failed to attend. In an

Stanley Earl Mitchell
Docket No. 4:06-CR-22-2BO
Petition For Action
Page 2

effort to equip the defendant with the knowledge, skills, and insight in order to achieve the goals he has set, it is recommended the defendant's supervision be modified to include participation in a cognitive behavioral program as directed by the probation office, in addition to his participation in an educational services program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
2. The defendant shall participate in an educational services program as directed by the probation officer. Such program may include GED preparation and other classes designed to improve the offender's proficiency in skills such as reading, writing, mathematics, or computer use.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

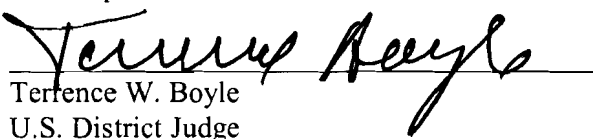
I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: August 30, 2011

ORDER OF COURT

Considered and ordered this 31 day of August, 2011, and ordered filed and made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge